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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/622,593	10/23/2000	Bo Olsson	194667US2PCT	8721
22850	7590	10/09/2003	EXAMINER PHAN, JOSEPH T	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			ART UNIT 2645	PAPER NUMBER

DATE MAILED: 10/09/2003

1/4

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/622,593

Applicant(s)

OLSSON ET AL

Examiner

Joseph T Phan

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-10 rejected under 35 U.S.C. 102(e) as being anticipated by Barvesten, Patent #6,311,057.

Regarding claims 1 and 9, Barvesten teaches a procedure and method to transmit information in connection with a telephone answering service which is provided by a mobile answer device in a mobile telephone system characterized in the steps:

connecting a calling subscriber to the mobile answer device when a called subscriber can not be accessed and storing information that originates from the calling subscriber on the mobile answer device (col.4 lines 30-49 and col.5 lines 20-45); and

transmitting a text message containing the stored information in parallel to the called subscriber when the called subscriber establishes a wireless connection to the mobile answer device to listen to recorded speech messages (43-57) .

col. 5

Regarding claim 2, Barvesten teaches the procedure as claimed in claim 1, wherein the stored information includes the calling subscriber's number, which is transferred automatically to the mobile answer device (col.5 lines 27-45).

Regarding claim 3, Barvesten teaches the procedure as claimed in claim 1, wherein the stored information includes one at the calling subscriber in advance stored message which is transferred automatically to the mobile answer device (col.5 lines 27-57).

Regarding claim 4, Barvesten teaches the procedure as claimed in claim 1, wherein the stored information contains an optional number, which is transferred by the calling subscriber to the mobile answer device(col.5 lines 27-57 and col.6 lines 35-67).

Regarding claim 5, Barvesten teaches the procedure as claimed in claim 1, wherein the text message is connected to an application at the called subscriber's mobile terminal(col.5 lines 27-58 and col.6 lines 35-67).

Regarding claim 6, Barvesten teaches the procedure as claimed in claim 5, wherein the application connects a number with a telephone list(col.5 lines 27-58 and col.6 lines 35-67).

Regarding claim 7, Barvesten teaches the procedure as claimed in claim 1 Wherein the text message is transmitted by a short text message service(col.5 lines 27-58 and col.6 lines 35-67).

Regarding claims 8 and 10, Barvesten teaches the procedure and method of claims 7 and 9 wherein the short text message is an SMS (Short Message Service) or USSD (Unstructured Supplementary Services Data) [col.5 lines 27-58, col.6 lines 35-67, and col.7 lines 5-20].

Response to Arguments

2. Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph T Phan whose telephone number is 703-305-3206. The examiner can normally be reached on M-TH 8:30-6:30, in every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 703-305-4895. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-9600.

JTP
October 3, 2003



FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

